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Chambers of Vincent L. Briccetti

12/6/23

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY A. STEWART,

Plaintiff,

-against-

G. MEDINA,

Defendant.

ORDER

23 CV 880 (VB)

12/6/23

On December 5, 2023, defendant moved to dismiss the amended complaint for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). In its Notice of Motion, defendant states: “[P]ursuant to prior Court order and unless otherwise ordered by the Court, answering papers, if any, must be served upon Defendant and filed by January 5, 2024, and reply papers, if any, must be served upon Plaintiff and filed by January 15, 2024.” (Doc. #35).

The Court is not aware of any prior order setting these deadlines. In consideration of plaintiff’s pro se status and to avoid any confusion about plaintiff’s deadline to file an opposition to defendant’s motion to dismiss and defendant’s deadline to reply, it is hereby ORDERED that:

1. Plaintiff’s opposition to defendant’s motion must be filed by **January 19, 2024**. The Court will mail plaintiff a copy of the Motions Guide for Pro Se Litigants, which describes the procedure for a motion to dismiss. Plaintiff is expected to review the Motions Guide and follow the instructions therein.
2. Defendant’s reply, if any, is due **February 9, 2024**.

Chambers will mail a copy of this Order, as well as a copy of the Motions Guide, to plaintiff at the address on the docket.

Dated: December 6, 2023
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge